

Notice of Allowability

Application No.

09/803,818

Examiner

Thomas A. Dixon

Applicant(s)

YUNG ET AL.

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 2/21/06.
2. ☒ The allowed claim(s) is/are 37-47.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|---|--|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date _____. |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____ | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other _____. |

DETAILED ACTION

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Robert Katz on 2/21/06.

The application has been amended as follows:

Claims 1-27 and 36 are cancelled.

Allowable Subject Matter

2. Claims 1-36 have been cancelled, claims 37-47 are allowable.

3. As per Claim 37

The prior art of record, specifically, Martshitsch et al (6,764,003) in view of Kolls (6,056,194) further in view of Stapp (5,930,771), further in view of DeFosse (6,457,038) further in view of Etoh et al (5,963,452) does not disclose or fairly teach a system for purchasing merchandise from a vending machine through a cellular phone, comprising:
a control and communication unit means for performing inventory data acquisition, directly controlling vending events, determining alert status, storing vending transaction information, and communicating alert message and vending transaction information to a central computer;

a vending transaction information comprising, for a plurality of storage compartments and for a plurality of vending transactions, data representing every transaction date, time, compartment from which merchandise is dispensed, quantity counter value, and payment type and account, wherein if the payment is in cash, the payment account has a null entry; if the payment is by a cellular mobile phone, the payment account is the phone number, and if the payment is a stored value card or credit card, the payment account is the account of the stored value card or credit card;
an alert information means for a plurality of storage compartments for composing an alert message if inventory in these compartments fall below one of the compartment margin, flavor margin or total margin;

a wireless modem means for communicating with the purchase if the purchaser initiates a purchase by keying in a sequence of predefined codes on a cellular mobile phone, for communicating with the central computer if the micro-computer detects that a

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predefined period of time has elapsed, or detects a sold out signal or the activation of a service signal, or a battery low signal, or an AC power being switched on or off, or an error condition, and for communicating with the central computer if the central computer initiates an inquiry; the predefined code comprising an agreed sequence of numbers that uniquely identifies the wireless purchase and the vending machine of which the purchase is to be performed; the predefined period of time means a period of time defined between two consecutive automatic communication of information or data with the central computer;

a power management circuit means for detecting and switching on and off the AC power supply and providing an alternative power supply if the AC power supply is switched off, for charging a battery when the AC power supply is switched on, and for providing power supply to the micro-controller and its peripherals for a period of time until the vending transaction has been communicated to the central computer.

As per Claim 47

The prior art of record, specifically, Martshitsch et al (6,764,003) in view of Kolls (6,056,194) further in view of Stapp (5,930,771), further in view of DeFosse (6,457,038) further in view of Etoh et al (5,963,452) does not disclose or fairly teach a system for conducting on-line inventory information acquisition and storage and automatic communication with a central computer for a plurality of vending machines comprising:

providing a machine power up procedure in response to the switching on of an AC power supply to the vending machine, whereby the vending machine enters a normal mode and reports its identity to the central computer via the wireless modem and whereby, upon receiving the identity of the vending machine, the central computer searches in its database for the vending machine's last system status, returns the status information to the vending machine and records the on-line status of the vending machine in the central computer's database; the system status comprising the vending machine selection button-to storage mapping information; the storage compartment information comprising flavor, capacity, inventory and price, compartment margin, flavor margin, total margin, quantity counter value and periodic time elapsed;

providing a machine power down procedure in response to the switching off of the AC power supply to the vending machine, whereby the vending machine transmits to the central computer the system status and transaction information since the last reporting and enters into a sleep mode when the central computer receives and acknowledges the information, and whereby, upon receiving the power of status of the vending machine, the central computer updates the vending machine's entry in the central computer's database.

The claims that depend from the above are allowable of the same reasons.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably

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accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Prior Art Made of Record

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Simpson et al (6,478,187 discloses use of cell phone for vending machine purchases and vending machine inventory, but does not disclose short messages.

Kemp (WO 01/54087) discloses use of a cell phone to get merchandise from a vending machine with a central computer.

New BellSouth Technology... discloses vending machine inventory monitoring using short messages.

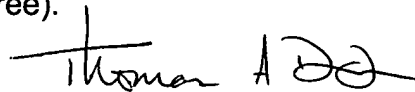
Mobile Devices and the Internet discloses using a cell phone and short messages to get drinks from a vending machine.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thomas A. Dixon whose telephone number is (571) 272-6803. The examiner can normally be reached on Monday - Thursday 6:30 - 4:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Hayes can be reached on (571) 272-6708. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

A handwritten signature in black ink, appearing to read "Thomas A. Dixon", with a stylized flourish at the end.

Thomas A. Dixon
Primary Examiner
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March 06